

## **REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action dated February 18, 2005. As indicated above, Claims 1-13 have been cancelled without prejudice and Claims 14-25 have been newly added.

In the Office Action, the Examiner has again rejected Claims 1, 2, 4, and 7-10 under 35 U.S.C. § 102(b) as being anticipated by *Yoon et al.* (U.S. 6,208,147), Claims 3, 5, and 6 under 35 U.S.C. § 103(a) as being unpatentable over *Yoon* in view of *Oyama* (U.S. 2003/0082458), Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over *Yoon* in view of *Yoon et al.* (U.S. 6,160,382), and Claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over as being unpatentable over *Yoon* in view of *Yoon et al.* (U.S. 6,160,382), and further in view of *Oyama*.

However, as indicated above, Claims 1-13 have been cancelled without prejudice. Accordingly, it is respectfully submitted that the rejections to Claims 1-13 are moot.

Additionally, it is respectfully submitted that new Claims 14-25 are patentably distinct from the Examiner's cited art. More specifically, it is respectfully submitted that none of the Examiner's cited art teaches partially charging the secondary batteries to have a charge capacity of at least 60% with a voltage less than a full charge voltage or partially discharging the secondary batteries to a discharge capacity of less than 10% from a voltage less than the full charge voltage, and then measuring the impedance spectrum in the frequency range of 10mHz to 1KHz.

Further, it is respectfully submitted that none of the Examiner's cited art teaches evaluating an initial discharge capacity of unknown batteries of the same group by comparing the numerical operation value of the resistance components  $R_{ser}$  and  $R_{ct}$  with an initial discharge capacity graph of measured battery samples.

Accordingly, all of the claims pending in the Application, namely, Claims 14-25, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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